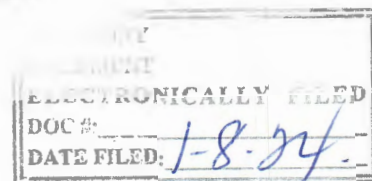




DIVISION OF  
ENFORCEMENT

UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
WASHINGTON, D.C. 20549



MEMO ENDORSED

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January 5, 2024

**BY ECF**

The Honorable Lewis A. Kaplan  
United States District Court  
500 Pearl Street  
New York, NY 10070-1312

**Re: *SEC v. Guosheng Qi, et al.*, 1:23-cv-07924-LAK (S.D.N.Y.)**

Dear Judge Kaplan:

An initial status conference in this case is scheduled for January 25, 2024. The Securities and Exchange Commission ("SEC") writes to respectfully request an adjournment of that initial pretrial conference and the consent scheduling order required by the Court's December 20, 2023 Order Regarding Scheduling and Initial Pretrial Conference ("Order"), Dkt. 20, pending completion of service to parties located overseas. The SEC is prepared to file status reports with the Court every ninety (90) days on its efforts to complete service.

To date, no attorney has entered an appearance on behalf of either the two Defendants or the Relief Defendant. On September 12, 2023, the SEC effected service on Defendant Gridsum Holdings Inc. ("Gridsum") at its registered agent in the Cayman Islands. Dkts. 16, 16-1. As Gridsum failed to answer or otherwise respond to the Complaint, on December 2, 2023, the SEC filed a Request for the Clerk to Enter Default Against Gridsum Holding, Inc. pursuant to Rule 55(a) of the Federal Rules of Civil Procedure. Dkt. 19. The Request is pending.

The remaining Defendant in this case, Guosheng Qi ("Qi"), as well as the Relief Defendant, Huijie He ("He"), are believed to reside outside of the United States. The SEC is in the process of completing service of the issued summons and Complaint on Qi and He in Hong Kong through international channels as permitted under Fed. R. Civ. P. 4(f). Specifically, the SEC is in the process of attempting service pursuant to the Hague Service Convention by mailing via FedEx Hague Service Requests to Hong Kong for Qi and He to the Hong Kong SAR Government Chief Secretary for Administration on

September 22, 2023. These Hague Service Requests contained copies of the Complaint, Dkt. 1, as well as the issued Summons for Qi and He in Hong Kong. Dkts. 10, 12. The SEC received confirmation that the Hague Service Requests to Hong Kong for Qi and He were received by the Hong Kong SAR Government Chief Secretary for Administration on October 3, 2023. The SEC has not received notification that the Complaint and issued summons for Qi and He have been served on Qi and He in Hong Kong.

On November 16, 2023, the SEC also transmitted a Hague Service Request to China for Defendant Qi because Qi is a resident of Beijing, China and Hong Kong.<sup>1</sup> Dkt. 1 ¶ 11. The SEC received confirmation that the Hague Service Request to China for Qi was received by the Ministry of Justice of China on November 20, 2023. The SEC has not received notification that the Complaint and issued summons for Qi have been served on Qi in China.

Although under Fed. R. Civ. P. 4(m) there is no time limit for serving a defendant in a foreign country, the SEC may ultimately seek service of Defendant Qi and Relief Defendant He by alternate means as permitted by Fed. R. Civ. P. 4 (f)(3) should international service continue to be unsuccessful.

Given the need for service as to Defendant Qi and Relief Defendant He, and the fact that no counsel has appeared for any party, the SEC believes that an adjournment of the initial status conference and the consent scheduling order required by the Court's Order is appropriate pending completion of service to parties located overseas and promotes judicial economy. The SEC is prepared to file periodic status reports every ninety days (or as directed by the Court) on its efforts to complete service.

/s/ Kristen M. Warden

Kristen M. Warden  
Trial Counsel

Granted. SEC  
to file status reports  
every 90 days

SO ORDERED

LEWIS A. KAPLAN, USDC

<sup>1</sup> In an abundance of caution, the SEC also transmitted a Hague Service Request to the Ministry of Justice of China for Gridsum on November 16, 2023, which contained copies of the Complaint, Dkt. 1, as well as the issued summons for Gridsum in China because the company's last known address is in Beijing, China.